

# EXHIBIT “A”

Court of Common Pleas of Philadelphia County  
Trial Division**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

**MARCH 2024****00681**

E-Filing Number: 2403012404

PLAINTIFF'S NAME DARRYL HUBBARD		DEFENDANT'S NAME LIVE CASINO & HOTEL PHILADELPHIA	
PLAINTIFF'S ADDRESS 2734 ISLAND AVENUE PHILADELPHIA PA 19153		DEFENDANT'S ADDRESS 900 PACKER AVENUE PHILADELPHIA PA 19148	
PLAINTIFF'S NAME		DEFENDANT'S NAME STADIUM CASINO RE, LLC	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS 601 EAST PRATT STREET 6TH FLOOR BALTIMORE MD 21202	
PLAINTIFF'S NAME		DEFENDANT'S NAME GAMING AND LEISURE PROPERTIES, INC.	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS 845 BERKSHIRE BOULEVARD WYOMISSING PA 19610	
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 7	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other: _____		
CASE TYPE AND CODE 2S - PREMISES LIABILITY, SLIP/FALL			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		<div style="text-align: center;"> <b>FILED</b>  <b>PRO PROTHY</b>  <b>MAR 06 2024</b>  <b>C. SMITH</b> </div>	
		IS CASE SUBJECT TO COORDINATION ORDER? YES    NO	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>DARRYL HUBBARD</u> Papers may be served at the address set forth below.			
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY CHRISTOPHER A. BRADLEY		ADDRESS 850 BEAR TAVERN RD., STE 106 EWING NJ 08628	
PHONE NUMBER (201) 882-7880	FAX NUMBER (609) 256-7334		
SUPREME COURT IDENTIFICATION NO. 84818		E-MAIL ADDRESS cbradley@brandonjbroderick.com	
SIGNATURE OF FILING ATTORNEY OR PARTY CHRISTOPHER BRADLEY		DATE SUBMITTED Wednesday, March 06, 2024, 01:35 pm	

**COMPLETE LIST OF DEFENDANTS:**

1. LIVE CASINO & HOTEL PHILADELPHIA  
900 PACKER AVENUE  
PHILADELPHIA PA 19148
2. STADIUM CASINO RE, LLC  
601 EAST PRATT STREET 6TH FLOOR  
BALTIMORE MD 21202
3. GAMING AND LEISURE PROPERTIES, INC.  
845 BERKSHIRE BOULEVARD  
WYOMISSING PA 19610
4. CORDISH COMPANIES  
601 EAST PRATT STREET 6TH FLOOR  
BALTIMORE MD 21202
5. JOHN DOE 1-10 (FICTITIOUSLY NAMED)  
C/O BRANDON J. BRODERICK 850 BEAR TAVERN ROAD STE 106  
EWING NJ 08628
6. ABC COMPANIES 1-10 (FICITIOUS)  
C/O BRANDON J. BRODERICK, LLC 850 BEAR TAVERN ROAD STE 106  
EWING NJ 08628
7. XYZ CORPORATIONS 1-10 (FICITIOUS)  
C/O BRANDON J. BRODERICK, LLC 850 BEAR TAVERN ROAD STE 106  
EWING NJ 08628

<p><b>DARRYL HUBBARD</b></p> <p><b>Plaintiff</b></p> <p><b>v.</b></p> <p><b>LIVE CASINO &amp; HOTEL PHILADELPHIA, et al</b></p> <p><b>Defendants</b></p>	<p><b>COMMONWEALTH OF PENNSYLVANIA</b> <b>PHILADELPHIA COUNTY</b> <b>COURT OF COMMON PLEAS</b> <b>Trial Division</b></p> <p><b>March TERM, 2024</b></p> <p><b>NO:</b></p> <p><b>COMPLAINT</b></p> <p><b>MAJOR JURY</b></p>
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Filed and Attested by the  
Office of Judicial Records  
MAR 2024 01:35 pm  
C. SMITH

**"NOTICE"**

"You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

"YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP."

Philadelphia Bar Association  
Lawyer Referral  
And Information Service  
One Reading Center  
Philadelphia, Pennsylvania 19107  
(215) 238-6333  
TTY (215) 451-6197

**"AVISO"**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta ascantar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

Asociacion De Licenciados  
De Filadelfia  
Servicio De Referencia E  
Informacion Legal  
One Reading Center  
Filadelfia, Pennsylvania 19107  
(215) 238-6333  
TTY (215) 451-6197  
TTY (215) 451-6197

**BRANDON J. BRODERICK, LLC**  
**CHRISTOPHER A. BRADLEY, ESQ.**  
Attorney I.D.: 84818  
850 Bear Tavern Road, Suite 106  
Ewing, NJ 08628  
[chris\\_unit@brandonjbroderick.com](mailto:chris_unit@brandonjbroderick.com)  
(201) 882-7880

Attorney for Plaintiff

<p><b>DARRYL HUBBARD</b> 2734 Island Avenue Philadelphia, PA 19153</p> <p>Plaintiff</p> <p>v.</p> <p><b>LIVE CASINO &amp; HOTEL PHILADELPHIA</b> 900 Packer Avenue Philadelphia, PA 19148</p> <p>and</p> <p><b>STADIUM CASINO RE, LLC.</b> 601 East Pratt Street – 6<sup>TH</sup> Floor Baltimore, MD 21202</p> <p>and</p> <p><b>GAMING AND LEISURE PROPERTIES, INC.</b> 845 Berkshire Boulevard Wyomissing, PA 19610</p> <p>and</p> <p><b>CORDISH COMPANIES</b> 601 East Pratt Street – 6<sup>TH</sup> Floor Baltimore, MD 21202</p> <p>and</p> <p><b>JOHN DOES (1-10); ABC COMPANIES 1- 10 (FICITIOUS); XYZ CORPORATIONS 1- 10 (FICITIOUS)</b></p> <p>Defendants</p>	<p><b>COMMONWEALTH OF PENNSYLVANIA PHILADELPHIA COUNTY COURT OF COMMON PLEAS Trial Division</b></p> <p><b>MarchTERM, 2024</b></p> <p><b>NO:</b></p> <p><b>COMPLAINT</b></p> <p><b>MAJOR JURY</b></p>
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## **COMPLAINT**

### **The Parties**

1. Plaintiff, Darryl Hubbard, is an adult individual who resides at 2734 Island Avenue, Philadelphia, Philadelphia County, Pennsylvania.

2. Defendant, Live! Casino & Hotel Philadelphia, is a business entity amenable to suit within the Commonwealth of Pennsylvania, with a principal place of business located at 900 Packer Avenue Philadelphia, Philadelphia County, Pennsylvania, 19148.

3. Defendant, Stadium Casino RE, LLC, is a business entity amenable to suit within the Commonwealth of Pennsylvania, with a principal place of business located at 601 East Pratt St., 6<sup>th</sup> Floor, Baltimore, MD 212202.

4. Defendant, Gaming and Leisure Properties, Inc., is a business entity amenable to suit within the Commonwealth of Pennsylvania, with a principal place of business located at 845 Berkshire Boulevard, Wyomissing, PA 19610.

5. Defendant, Cordish Companies, is a business entity amenable to suit within the Commonwealth of Pennsylvania, with a principal place of business located at 601 East Pratt St., 6<sup>th</sup> Floor, Baltimore, MD 212202.

6. Defendant, John Doe [Maintenance Company(s)], is a maintenance company whose name and address is unknown.

7. At all times material hereto, the defendants all advertised and/or conducted business within Pennsylvania and within the city and county of Philadelphia.

8. At all material times defendants owned or were in control of the property located at 900 Packer Avenue, Philadelphia, PA 19148, and/or managed the property, and/or employed the persons who managed, repaired, renovated, or who were responsible for managing,

inspecting, maintaining and repairing the inside areas including the walking surfaces, walls, molding and/or paneling, and/or providing warnings or barriers at the site of the hazard and/or around the hazardous area.

9. The Defendant(s), individually, jointly, or behalf of the other, hired, supervised, approved, directed, and/or controlled the employees, servants, contractors, subcontractors, or agents who performed work at the property, and these persons who performed work at the property did so at the direction and under the supervision and control of Defendant or Defendants.

### **Jurisdiction**

10. This court is the proper court of Jurisdiction and Venue.

11. All acts complained causing harm to Plaintiff occurred in Pennsylvania.

12. Jurisdiction is proper in Philadelphia County.

### **Facts**

13. Plaintiff, on May 21, 2022, was lawfully on the premises as a business invitee of the casino, at or near the cash cage.

14. At or near this time and place, as a result of the negligence of the defendants, a piece of paneling, molding or other material fell from the wall and struck Plaintiff on the head, neck and back, causing serious and permanent injuries.

15. As a result of the Defendants' negligence, Plaintiff sustained injuries to his head, neck, upper back and right shoulder.

16. As a further result of Defendants' negligence, Plaintiff suffered economic losses, and will continue to incur future economic losses.

17. As a further result of Defendants' negligence, Plaintiff sustained permanent injuries, aggravated unknown pre-existing conditions, if any, and continues to experience pain and suffering, disability, loss of enjoyment of life, and limitations in his activities, and will continue to suffer indefinitely.

### **COUNT I**

#### **DARRYL HUBBARD v. LIVE! CASINO & HOTEL PHILADELPHIA**

18. Plaintiff hereby incorporates the above paragraphs above as if they were set forth fully and completely herein.

19. At all times, relevant herein, Plaintiff himself acted reasonably, and he did not appreciate that the floor was unsafe.

20. At all material times, Live! Casino & Hotel Philadelphia was the owner and/or tenant of the premises located at 900 Packer Avenue, Philadelphia, PA, and was responsible by deed, contract otherwise for the care and maintenance of the property acting directly or through its agents, servants workmen and/or employees.

21. The negligence of Live! Casino & Hotel Philadelphia, its agents, servants, workmen and/or employees consisted inter alia of the following:

- a. failing to properly install, secure, inspect and maintain the walls, paneling, molding or other materials in a safe and reasonable manner and creating the hazard;
- b. failing to hire, train, supervise or use employees or persons who were qualified or reasonably knowledgeable in the areas of safety, construction, demolition, installation, and inspecting and correcting hazards;



- c. performing the work when not qualified, trained or experienced in wall maintenance and installation, and related work;
- d. allowing a dangerous condition to exist on its property when Defendant(s) knew or should have known of it, and failing to correct it, post warnings, or otherwise repair the walls until it was made safe;
- e. increasing the risk of injury by allowing people to access the casino without a reasonably safe walls and walking surfaces;
- f. installing walls that were unreasonably dangerous and failing to warn others or block off the area;
- g. failing to timely and adequately inspect the subject property so as to discover and permit timely remediation, removal and warning of a hazard including that complained of by Plaintiff; and
- h. failing to provide and use materials of sufficient strength and character to maintain its integrity on the walls.

22. As a direct and proximate cause of defendant's negligence, plaintiff suffered the damages set forth above.

**WHEREFORE**, Plaintiff demands judgment against the defendant in an amount in excess of \$50,000.

## **COUNT II**

### **DARRYL HUBBARD v. STADIUM CASINO RE, LLC**

23. Plaintiff hereby incorporates the above paragraphs above as if they were set forth fully and completely herein.

24. At all times, relevant herein, Plaintiff himself acted reasonably, and he did not appreciate that the floor was unsafe.

25. At all material times, Stadium Casino RE, LLC was the owner and/or tenant of the premises located at 900 Packer Avenue, Philadelphia, PA, and was responsible by deed, contract otherwise for the care and maintenance of the property acting directly or through its agents, servants workmen and/or employees.

26. The negligence of Stadium Casino RE, LLC, its agents, servants, workmen and/or employees consisted inter alia of the following:

- a. failing to properly install, secure, inspect and maintain the walls, paneling, molding or other materials in a safe and reasonable manner and creating the hazard;
- b. failing to hire, train, supervise or use employees or persons who were qualified or reasonably knowledgeable in the areas of safety, construction, demolition, installation, and inspecting and correcting hazards;
- c. performing the work when not qualified, trained or experienced in wall maintenance and installation, and related work;
- d. allowing a dangerous condition to exist on its property when Defendant(s) knew or should have known of it, and failing to correct it, post warnings, or otherwise repair the walls until it was made safe;
- e. increasing the risk of injury by allowing people to access the casino without a reasonably safe walls and walking surfaces;
- f. installing walls that were unreasonably dangerous and failing to warn others or block off the area;

- g. failing to timely and adequately inspect the subject property so as to discover and permit timely remediation, removal and warning of a hazard including that complained of by Plaintiff; and
- h. failing to provide and use materials of sufficient strength and character to maintain its integrity on the walls.

27. As a direct and proximate cause of defendant's negligence, plaintiff suffered the damages set forth above.

**WHEREFORE**, Plaintiff demands judgment against the defendant in an amount in excess of \$50,000.

**COUNT III**

**DARRYL HUBBARD v. GAMING AND LEISURE PROPERTIES, INC.**

28. Plaintiff hereby incorporates the above paragraphs above as if they were set forth fully and completely herein.

29. At all times, relevant herein, Plaintiff himself acted reasonably, and he did not appreciate that the floor was unsafe.

30. At all material times, Gaming and Leisure Properties, Inc. was the owner and/or tenant of the premises located at 900 Packer Avenue, Philadelphia, PA, and was responsible by deed, contract otherwise for the care and maintenance of the property acting directly or through its agents, servants workmen and/or employees.

- a. The negligence of Gaming and Leisure Properties, Inc., its agents, servants, workmen and/or employees consisted inter alia of the following:

- b. failing to properly install, secure, inspect and maintain the walls, paneling, molding or other materials in a safe and reasonable manner and creating the hazard;
- c. failing to hire, train, supervise or use employees or persons who were qualified or reasonably knowledgeable in the areas of safety, construction, demolition, installation, and inspecting and correcting hazards;
- d. performing the work when not qualified, trained or experienced in wall maintenance and installation, and related work;
- e. allowing a dangerous condition to exist on its property when Defendant(s) knew or should have known of it, and failing to correct it, post warnings, or otherwise repair the walls until it was made safe;
- f. increasing the risk of injury by allowing people to access the casino without a reasonably safe walls and walking surfaces;
- g. installing walls that were unreasonably dangerous and failing to warn others or block off the area;
- h. failing to timely and adequately inspect the subject property so as to discover and permit timely remediation, removal and warning of a hazard including that complained of by Plaintiff; and
- i. failing to provide and use materials of sufficient strength and character to maintain its integrity on the walls.

31. As a direct and proximate cause of defendant's negligence, plaintiff suffered the damages set forth above.

**WHEREFORE**, Plaintiff demands judgment against the defendant in an amount in excess of \$50,000.

**COUNT IV**

**DARRYL HUBBARD v. CORDISH COMPANIES**

32. Plaintiff hereby incorporates the above paragraphs above as if they were set forth fully and completely herein.

33. At all times, relevant herein, Plaintiff himself acted reasonably, and he did not appreciate that the floor was unsafe.

34. At all material times, Cordish Companies was the owner and/or tenant of the premises located at 900 Packer Avenue, Philadelphia, PA, and was responsible by deed, contract otherwise for the care and maintenance of the property acting directly or through its agents, servants workmen and/or employees.

35. The negligence of Cordish Companies, its agents, servants, workmen and/or employees consisted inter alia of the following:

- a. failing to properly install, secure, inspect and maintain the walls, paneling, molding or other materials in a safe and reasonable manner and creating the hazard;
- b. failing to hire, train, supervise or use employees or persons who were qualified or reasonably knowledgeable in the areas of safety, construction, demolition, installation, and inspecting and correcting hazards;
- c. performing the work when not qualified, trained or experienced in wall maintenance and installation, and related work;

- d. allowing a dangerous condition to exist on its property when Defendant(s) knew or should have known of it, and failing to correct it, post warnings, or otherwise repair the walls until it was made safe;
- e. increasing the risk of injury by allowing people to access the casino without a reasonably safe walls and walking surfaces;
- f. installing walls that were unreasonably dangerous and failing to warn others or block off the area;
- g. failing to timely and adequately inspect the subject property so as to discover and permit timely remediation, removal and warning of a hazard including that complained of by Plaintiff; and
- h. failing to provide and use materials of sufficient strength and character to maintain its integrity on the walls.

36. As a direct and proximate cause of defendant's negligence, plaintiff suffered the damages set forth above.

**WHEREFORE**, Plaintiff demands judgment against the defendant in an amount in excess of \$50,000.

**COUNT V**

**DARRYL HUBBARD v. JOHN DOE [MAINTENANCE COMPANY(S)]**

37. Plaintiff hereby incorporates the above paragraphs above as if they were set forth fully and completely herein.

38. At all times, relevant herein, Plaintiff himself acted reasonably, and he did not appreciate that the floor was unsafe.

39. At all material times, John Doe was the owner and/or tenant of the premises located at 900 Packer Avenue, Philadelphia, PA, and was responsible by deed, contract otherwise for the care and maintenance of the property acting directly or through its agents, servants workmen and/or employees.

40. The negligence of John Doe, its agents, servants, workmen and/or employees consisted inter alia of the following:

- a. failing to properly install, secure, inspect and maintain the walls, paneling, molding or other materials in a safe and reasonable manner and creating the hazard;
- b. failing to hire, train, supervise or use employees or persons who were qualified or reasonably knowledgeable in the areas of safety, construction, demolition, installation, and inspecting and correcting hazards;
- c. performing the work when not qualified, trained or experienced in wall maintenance and installation, and related work;
- d. allowing a dangerous condition to exist on its property when Defendant(s) knew or should have known of it, and failing to correct it, post warnings, or otherwise repair the walls until it was made safe;
- e. increasing the risk of injury by allowing people to access the casino without a reasonably safe walls and walking surfaces;
- f. installing walls that were unreasonably dangerous and failing to warn others or block off the area;

- g. failing to timely and adequately inspect the subject property so as to discover and permit timely remediation, removal and warning of a hazard including that complained of by Plaintiff; and
- h. failing to provide and use materials of sufficient strength and character to maintain its integrity on the walls.

41. As a direct and proximate cause of defendant's negligence, plaintiff suffered the damages set forth above.

**WHEREFORE**, Plaintiff demands judgment against the Defendant, in an amount in excess of \$50,000, together with all other available monetary damages permitted by law.

**BRANDON J BRODERICK, LLC**

By: /s/ Christopher A. Bradley  
Christopher A. Bradley, Esquire  
Attorney for Plaintiff

Dated: March 6, 2024

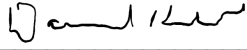


**VERIFICATION**

I, Darryl Hubbard, Plaintiff herein, makes this Verification and states that the statements made in the foregoing are true and correct to the best of his knowledge, information, and belief.

The undersigned understands that the statements therein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

\_\_\_\_\_  
PLAINTIFF

DocuSigned by:  
  
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